

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

EUGENE SCALIA, <sup>1</sup>	:	
<i>Acting Secretary of Labor,</i>	:	CIVIL ACTION
<i>Plaintiff</i>	:	
v.	:	
	:	
EAST PENN MANUFACTURING CO.,	:	
INC.,	:	No. 18-1194
<i>Defendant</i>	:	

**ORDER**

AND NOW, this 9th day of September, 2020, upon consideration of Defendant's Motion to Exclude Opinion Testimony of Dr. Robert G. Radwin (Doc. No. 171), Plaintiff's Motion *in Limine* to preclude Dr. Jeffrey Fernandez from testifying as to his time measurements and the "Hawthorne Effect" (Doc. No. 172), Plaintiff's Motion to Exclude Report and Testimony of Brian T. Farrington (Doc. No. 170), the Responses in Opposition (Doc. Nos. 195-197,) the Replies in Support (Doc. Nos. 199-201), and oral argument held on July 22, 2020, it is **ORDERED** that:


1. Defendant's Motion to Exclude Opinion Testimony of Dr. Robert G. Radwin (Doc. No. 171) is **DENIED** as set forth in the accompanying Memorandum;
2. Plaintiff's Motion *in Limine* to preclude Dr. Jeffrey Fernandez from testifying as to his time measurements and the "Hawthorne Effect" (Doc. No. 172) is **DENIED** as set forth in the accompanying Memorandum; and

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<sup>1</sup> Pursuant to Federal Rule of Civil Procedure 25(d), Acting Secretary of Labor Eugene Scalia is substituted for R. Alexander Acosta as the plaintiff in this action.

3. Plaintiff's Motion to Exclude Report and Testimony of Brian T. Farrington (Doc. No. 170) is **GRANTED IN PART** and **DENIED IN PART** as set forth in the accompanying Memorandum.

**BY THE COURT:**

  
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**GENE E.K. PRATTER**  
**UNITED STATES DISTRICT JUDGE**